

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WAWA, INC., a corporation of
the State of New Jersey,

Plaintiff,

v.

THE GOVERNMENT OF
NEW CASTLE COUNTY,
DELAWARE, a political subdivision
of the State of Delaware,

Defendant.

C.A. No. 04-322-KAJ

DEFENDANT GOVERNMENT OF NEW CASTLE COUNTY’S
CROSS-MOTION FOR SUMMARY JUDGMENT

COMES NOW defendant Government of New Castle County, by and through its attorneys, and hereby moves this Honorable Court to dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 56(b). The grounds for this Motion are set forth in Defendant Government of New Castle County's Answering Brief in Opposition to Plaintiff's Motion for Summary Judgment.

WHEREFORE, defendant New Castle County respectfully requests that this case be dismissed against it.

NEW CASTLE COUNTY LAW

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Dated: March 16, 2005

